

ZB# 86-22

Bernard Kahn

63-8-17,18,19

86-22 - Kahn-Bernard - area variances

Prelim
7/4/86 -
App. provided

P.H. - 8/11/86.
(Hearing not held - faulty
7/16/86. Notice to Sentinal ^{Notified} _{Platz})

S 63 -
B 3 -
Lots 17, 18, & 19
Letter from Assessor

8/11/86 - Board decided
a new P.H. has to
be held - faulty
notification.

P.H. - Sept. 8, 1986
Notice to Paper on 8/12/86.

Decision 9/8/86 -
Granted
Area variances

General Receipt

7955

TOWN OF NEW WINDSOR

555 Union Avenue

New Windsor, N. Y. 12550

August 1, 1986

Received of

Tail Oaks Home

\$ 25.00

Twenty-five and 00/100

DOLLARS

For

Variance Application Fee 86-22

DISTRIBUTION

FUND	CODE	AMOUNT
CR 1181		25.00

By

Pauline H. Townsend

Town Clerk

Title

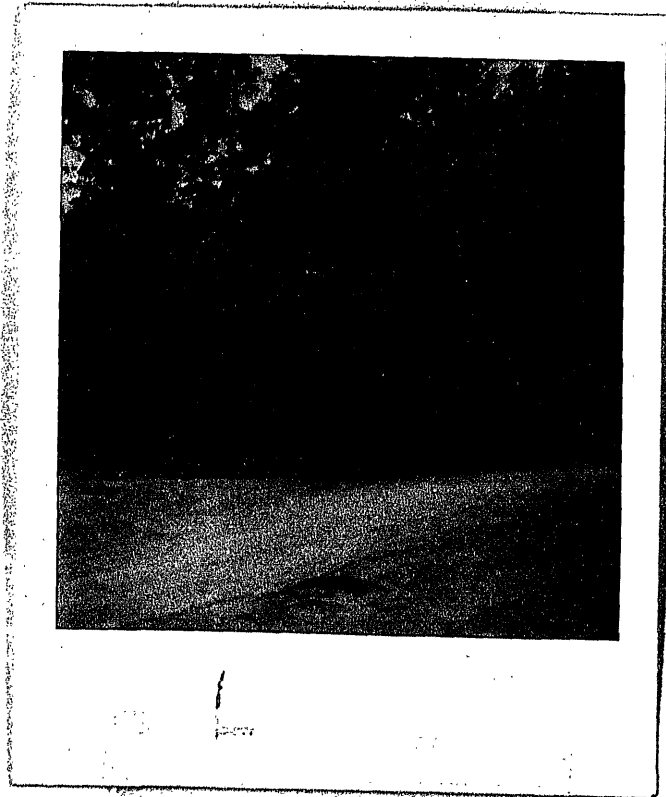
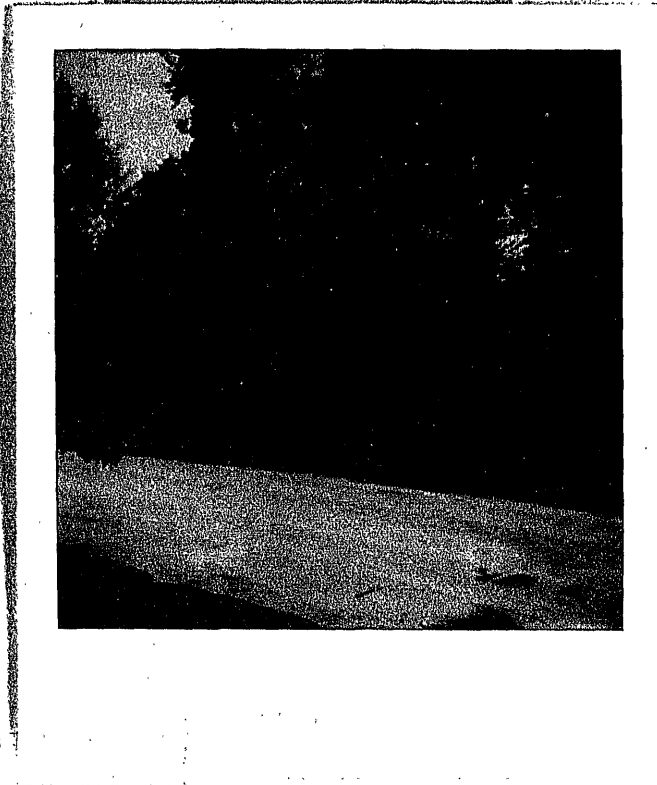
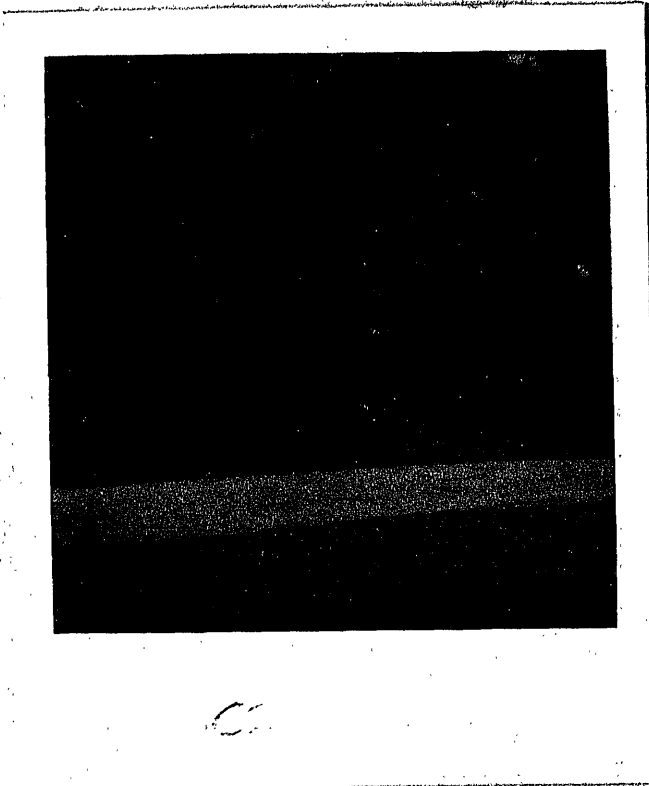
Williamson Law Book Co., Rochester, N. Y. 14604



	DATE	AMOUNT
CE# 481		23.00

Williamson Law Book Co., Rochester, N. Y. 14609

By Theresa H. Townsend
of
Town Clerk
 Title



NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of
BERNARD KAHN

DECISION GRANTING
AREA VARIANCE

#86-22.

WHEREAS, BERNARD KAHN of 183A Bull Road, Rock Tavern, N. Y. 12575, has made application before the Zoning Board of Appeals for 3,750 sq. ft. lot area and 25 ft. lot width variances for purposes of construction of a residential dwelling in an R-4 zone to be located at Oak Drive in the Town of New Windsor, New York; and

WHEREAS, a public hearing was held on the 8th day of September, 1986 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant KAHN represented himself; and

WHEREAS, the application was unopposed;

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a residential dwelling in an R-4 zoning district with insufficient area.

3. The evidence presented by the applicant substantiated the fact that practical difficulty would be encountered if the applicant was denied the variances since there is no additional land which may be purchased in order for applicant to meet the bulk regulations in the R-4 zoning district.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty the variance requested is not granted due to the fact that if the bulk requirements were followed to the letter, an inadequate residential dwelling would be permitted.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood which is residential in nature.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 3,750 sq. ft. lot area and a 25 ft. lot width variance in accordance with plans submitted at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 22, 1986.


Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

September 9, 1986

Mr. Bernard Kahn
183A Bull Road
Rock Tavern, N. Y. 12575

RE: APPLICATION FOR AREA VARIANCES
#86-22

Dear Bernie:

This is to confirm that a public hearing was held regarding the above-entitled application before the Zoning Board of Appeals. The Board voted to grant the above request for area variances. This decision was made at the September 8, 1986 meeting.

Formal decision will be drafted at a later date and acted upon by the Board. You will be receiving a copy by return mail.

Best regards.

Very truly yours,

A handwritten signature in cursive script that reads "Patricia Delio".

PATRICIA DELIO
Secretary to Zoning Bd. of Appeals

/pd
cc: Town Building Inspector
Planning Board



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

37

July 17, 1986

Re: 63-8-17,18,19

Dear Mr. Kahn:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property. Be advised that some properties within the five hundred foot radius fall within the town of limits of Cornwall. You should consult the assessor for the town of Cornwall for information on those property owners.

The charge for this service is \$55.00. Please remit the same to the Town Clerk, Town of New Windsor.

Very truly yours,

CHRISTIAN E. JAHRLING, IAO
SOLE ASSESSOR



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Rossini Lawrence D
& Kathleen A
RD4 Hickory Ave
New Windsor NY 12550

Rossini Ralph & Yolanda
Box 268D RD4 Hickory Ave
New Windsor NY 12550

Rinaldi Theresa
45 Avenue O
Brooklyn NY 11204

Whaley Robert K
& Janice B
RD4 Box 291 Willow Ave
New Windsor NY 12550

Laux Frederick
& Florence
RD4 Willow Ave
New Windsor NY 12550

Ferris William
& Margaret A
RD4 Willow Ave
New Windsor NY 12550

Scarazzini Gilbert
& Stephanie
Box 294 RD4 Willow Ave
New Windsor NY 12550

Patco Homes Inc
PO Box 143
Monroe NY 10950

Kelly Maureen
RD4 Box 266C Hickory Ave
New Windsor NY 12550

Loniak James A
& Luanne Paton
RD4 Hickory Ave
New Windsor NY 12550

Matthews George E
& Karen Jean
Box 266B Hickory Ave
New Windsor NY 12550

Carbone Pasquale
& Frances
Box 231 RD4 Chestnut Ave
New Windsor NY 12550

Murphy Joanne
24 East Ave
West Nyack NY 10994

Sherwood Christopher J
& Lynn E
RD4 236 Chestnut Ave
New Windsor NY 12550

Scalise Pauline
Box 238 Chestnut Ave
New Windsor NY 12550

Mangiaracina Joseph
& Carmela
Box 263 RD4 Hickory Ave
New Windsor NY 12550



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Rosselli Louise & Albert V
Alder Dr RD4
New Windsor NY 12550

Wald Carl F
& Marianne
265 Hickory Ave
New Windsor NY 12550

Lentini Ralph
Oak Dr
New Windsor NY 12550

Westphal Joann
Macaluso Cecelia
Box 269 RD4 Hickory Ave
New Windsor NY 12550

Tesar William C
& Stephanie L
RD4 Box 270 Hickory Ave
New Windsor NY 12550

Lundstrom Eric A
271 Hickory Ave
New Windsor NY 12550

Linden Hans & Margaret
RD4 Box 272 Hickory Ave
New Windsor NY 12550

Farrell Robert G
& Charlotte M
RD4 Box 285 Oak Dr
New Windsor NY 12550

Savino Domenick
238-26-115 Terrace
Elmont NY 11003

Sarnowski Richard G
RD4 Box 296 Oak Dr
New Windsor NY 12550

Abouelezz Ahmed
& Grace
RD4 Box 295 Oak Dr
New Windsor NY 12550

Van-Der Essen Ian V & Adeline
315 Shore Dr RD4
New Windsor NY 12550

Keller John (Trustee)
18 Hermond Blvd
Poughkeepsie NY 12603

Cardinal Thomas K
& Andrea
RD4 Oak Dr Box 300
New Windsor NY 12550

Carlough Joan M
301 Oak Dr RD4
New Windsor NY 12550

Vassas Robert
& Lynnea
302 Oak Dr
New Windsor NY 12550



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Bombardi Joseph
& Columbia Consigli
34-09 Bell Boulevard
Bayside NY 11361

La Boy Jose & Bobbie Jo
Box 311 RD4 Shore Dr
New Windsor NY 12550

Palmer Melville I Jr
Box 312 RD4 Shore Dr
New Windsor NY 12550

White Jerry K
Box 314 RD4 Shore Dr
New Windsor NY 12550

Slack Benjamin
& Gloria Lord
c/o Spindel C
PO Box 4444
New Windsor NY 12550

9/8/86

Public Hearing: Kahn, Bernard #86-22

Name:

John Simmons

Address:

RD 4 R/296 Oak Hill



OAK DRIVE

50'

N 02°06'00"W

N 87°54'00"E

LOT # 3

LOT # 43

150.00'

LOT # 4

LOT # 42

LOT # 5

LOT # 41

LOT # 6

LOT # 40

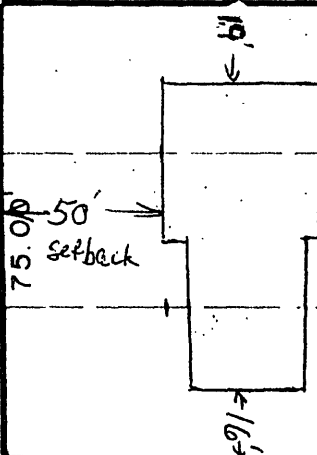
LOT # 7

LOT # 39

S 87°54'00"W

150.00'

S 02°06'00"E



SURVEY OF PROPERTY
FOR

BERNARD N. KAHN

TOWN OF NEW WINDSOR

ORANGE COUNTY, NEW YORK

SCALE: 1" = 30'

OCT. 1, 1984

AREA = 0.2583 ACS.

RECERTIFICATION MAY 28, 1986

REFERENCE: BEING LOTS # 4, 5 & 6 IN BLOCK 16 OF MAP ENTITLED "BEAVER DAM LAKE SEC. I, LANDS OF HENRY POWELL RAMSDELL", FILED IN THE O.C.C.O. AS MAP # 1044.

CERTIFIED TO: BERNARD N. KAHN, RYAN FINANCIAL SERVICES CORP., R.H.F.C. SERVICE INC. AND AMERICAN TITLE INSURANCE COMPANY TO BE CORRECT AND ACCURATE.

SITE PLAN by B. KAHN 6/4/86

COPIES OF THIS SURVEY NOT BEARING THE EMBOSSED SEAL OF THE LAND SURVEYOR SHALL NOT BE VALID. GUARANTEES OF CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUCCESSOR OWNERS.

UNAUTHORIZED ALTERATION OF THIS DOCUMENT, IN ANY WAY, CONSTITUTES A VIOLATION OF THE

NEW YORK STATE EDUCATION LAW § 7209(2)

LIG. 49087

DILLIN & SORACE ASSOCIATES
PROFESSIONAL LAND SURVEYORS
GOSHEN, N.Y. - NEW CITY, N.Y.

NR 84160

INTER-OFFICE CORRESPONDENCE

TO: TOWN PLANNING BOARD
TOWN BUILDING/ZONING INSPECTOR BABCOCK

FROM: ZONING BOARD OF APPEALS

SUBJECT: PUBLIC HEARING BEFORE THE ZBA - 9/8/86

DATE: August 22, 1986

Please be advised that the following public hearings will be heard before the Zoning Board of Appeals on the above date:

KOLLER, JANET & KARL - Area Variances;

KAHN, BERNARD - Area variances;
(Applications previously submitted)

APOLLO LAND DEVELOPERS - Use & area Variances;

SORBELLO, VINCENT/LOCK, JOHN - Area variance;

BECHLE, NADINE & ROGER - Area variance.

I have attached hereto copies of the pertinent applications together with public hearing notices which were published in The Sentinel.

Patricia Delio, Secretary
Zoning Board of Appeals

/pd

Attachments

Beaver Dam Lake Water Corp.

R.D. 4, BEAVER DAM LAKE
NEWBURGH, NEW YORK

APPLICATION FOR WATER SERVICE

I (or We) the undersigned, hereby make application for Water Service from the Beaver Dam Lake Water Corporation. I (or We) shall abide by all rules and regulations of the Corporation, as described on the opposite side of this and which (I or We) have read and understand.

It is understood that all costs of connecting to the Water System shall be assumed by (Me or Us). It is also understood that the Water Corporation assumes no responsibility to maintain any water lines other than its own Mains.

Curb cocks shall be supplied by the applicant and installed as directed by the Water Superintendent. Inspection fee of \$25.00 shall be paid directly to the Superintendent. All work must be approved before covering lines. PROPERTY OWNERS WHO RENT TO OTHERS ARE RESPONSIBLE FOR PAYMENT OF WATER BILLS AND OTHER CHARGES THAT MAY BE INCURRED BY THE TENANT.

Signed

Applicant

Date

Bernard N Kahn
aka Tall Oaks Homes

BLOCK NUMBER

LOT NUMBER

LOCAL ADDRESS

16 / Tax Map

456 / 171819

Box 1835 Bldg Rd Rock Tavern NJ

Other

Service requested (check one)

Year round

☒ \$153.00

Current rates

APRIL 1 = 76.50

NOV 1 = 76.50

do not fill in below (office use)

APPLICATION

☒ APPROVED

---DENIED

Henry O'Leary

Officer

OBLIGATION

☒ APPROVED

- DENIED

Paul F. [Signature]

Water Super.

Work completed and approved by

Water Super.

RULES AND REGULATIONS OF THE BEAVER DAM LAKE WATER CORPORATION.

1. ~~There shall be seasonal consumers: Summer rates shall apply from April 1st to October 31st. Winter rates shall apply from November 1st. to March 31st. Two or three family houses shall be charged for each family residing therein. Service to ALL 'summer only' consumers will be discontinued each November 1st. THIS INCLUDES ALL THOSE ON WINTER LINES BUT NOT PAYING WINTER RATES. THOSE WISHING TO USE WINTER WATER SHOULD APPLY TO THE CORP. BEFORE OCTOBER 20.~~
2. A BILL NOT PAID WITHIN 31 DAYS OF RENDITION IS CONSIDERED DELINQUENT AND THE COMPANY MAY, AFTER 15 DAYS WRITTEN NOTICE IN CONFORMANCE WITH THE LAW, DISCONTINUE SERVICE UNTIL PAYMENT OF ALL ARREARS AND CHARGES HAS BEEN MADE. A PENALTY OF 20% SHALL BE IMPOSED ON THE AMOUNT IN ARREARS.
3. The Company may shut off water in its mains to make repairs and extensions. When possible, proper advance notice will be given to customers affected. No unauthorized shall be permitted to tamper with water main valves, pipes or any other equipment. Anyone found doing so shall be liable to prosecution
- * 4. Water service is not to be used for swimming pools, watering lawns, washing cars, or for any other use that may be considered wasteful.
5. The customer is responsible for service pipes, plumbing etc. within the property line, and shall maintain all equipment within same. All necessary repairs shall be made by the customer. If such necessary repairs are neglected by the customer, then they shall be made by the Water Corp. at the expense of the customer.
6. Authorized employees or agents of the Company may make inspections upon the premises of the consumer at all reasonable times to insure compliance with its rules and regulations, and shall have free access to the premises for the purpose of connecting or disconnecting service lines, or to make necessary repairs.
7. The intentional violation of any of the above regulations shall be sufficient cause to terminate water service immediately.

You are requested to become familiar with the rules and regulations governing water service, and to abide by them in the interest of the community. Owners of rentals will kindly instruct their tenants to do likewise.

COMMENCING AFTER APRIL 198 --THE BILLS FOR WATER SERVICE WILL BE THE RESPONSIBILITY OF THE OWNERS OF RENTALS. THIS APPLIES TO NEW APPLICATIONS AND CHANGES IN TENANTS.

THE BEAVER DAM LAKE WATER CORPORATION

Dated Aug. 1, 1949

Revised: Aug. 28, 1958

Revised April 1, 1975

12033-14928

057260

THIS INDENTURE, made the 2nd day of June, nineteen hundred and Eighty-six
BETWEEN PATRICIA RESCIGNO MANOOKIAN,
residing at P.O. Box 359, Rochelle Park,
New Jersey 07662

party of the first part, and

BERNARD N. KAHN, residing at
Box 183-A, Bull Road, Rock Tavern,
New York 12575

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

-----TEN----- dollars,
(\$10.00)
lawful money of the United States, paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

lying and being in the

ALL that certain plot, piece or parcel of land with the
buildings and improvements thereon erected, situate, lying and
being in the Town of New Windsor, Orange County, New York,
being Lots Nos. 4, 5 and 6, Block 16, upon a certain map entitled
Beaver Dam Lake, Section 1, lands of Henry Powell Ramsdell,
Towns of Cornwall and New Windsor, Orange County, New York, made
by Blake and Woodhull, C.E. dated April 22nd, 1931 and filed in
the Office of the Clerk of the County of Orange, AS MAP # 1044

BEING also described according to recent survey:

BEGINNING at a point on the easterly boundary of Oak
Drive, where the same is intersected by the northerly boundary
of Lot No. 7 and running thence along the easterly boundary of
Oak Drive N 02° 06' 00" W a distance of 75.00 feet to a point;
thence along the southerly boundary of Lot No. 3, N 87° 54' 00"
E a distance of 150.00 feet to a point; thence along the
westerly boundary of Lots No. 42 and in continuation along Lot
No. 41 and 40, S 02° 06' 00" E a distance of 75.00 feet to a
point; thence along the northerly boundary of Lot No. 7, S 87°
54' 00" W a distance of 150.00 feet to the point of beginning,
containing 0.2583 acres.

BEING the same premises described in a deed from Rose
Zuaro to Patricia Rescigno Manookian dated October 17, 1984 and
recorded December 20, 1984 in Liber 2309 of Deeds at page 816,
Orange County Clerk's Office.

Section 63
Block 8
Lots 17, 18
and 19

party of the first part, and

BERNARD N. KAHN, residing at
Box 183-A, Bull Road, Rock Tavern,
New York 12575

party of the second part,

WITNESSETH, that the party of the first part, in consideration of

-----TEN----- dollars,
(\$10.00)

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the

Section 63
Block 8
Lots 17, 18
and 19

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buildings and improvements thereon erected, situate, lying and
being in the Town of New Windsor, Orange County, New York,
being Lots Nos. 4, 5 and 6, Block 16, upon a certain map entitled
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Oak Drive N 02° 06' 00" W a distance of 75.00 feet to a point;
thence along the southerly boundary of Lot No. 3, N 87° 54' 00"
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No. 41 and 40, S 02° 06' 00" E a distance of 75.00 feet to a
point; thence along the northerly boundary of Lot No. 7, S 87°
54' 00" W a distance of 150.00 feet to the point of beginning,
containing 0.2583 acres.

BEING the same premises described in a deed from Rose
Zuaro to Patricia Rescigno Manookian dated October 17, 1984 and
recorded December 20, 1984 in Liber 2309 of Deeds at page 816,
Orange County Clerk's Office.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and roads abutting the above-described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF

Notar Public for the State of New York

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF

Patricia Rescigno Manookian
Patricia Rescigno Manookian

662

SS:

On the 2nd day of June, 1986, before me
personally came PATRICIA RESCIGNO
MANOOKIAN

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she executed the same.

Notary Public

JONATHAN R. KOFALD
Notary Public, State of New York
No. 36-7-000340
Qualified in Orange County
Commission Expires March 30, 1988

On the _____ day of _____, 19____, before me
personally came _____

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

55:

68:

On the _____ day of _____, 19____, before me
personally came _____
to me known, who, being by me duly sworn, did depose and
say that _____ he resides at No. _____

that he is the
of

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

On the _____ day of _____, 19____, before me
personally came _____

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

PATRICIA RESCIGNO MANOOKIAN

TO

BERNARD N. KAHN

STANDARD FORM OF
NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by

Lawyers Title Insurance Corporation

The land affected by the within instrument lies in:

SECTION
BLOCK
LOT
COUNTY OR TOWN

RECORDED AT THE REQUEST OF

Lawyers Title Insurance Corporation

RETURN BY MAIL TO

Edward S. Boyd, Attorney--

"The fact that we have been able to do this," he says, "is because we have had the support of the people."

2. 5. 2
 1. 7. 1
 1. 5. 2
 1. 5. 2
 1. 5. 2

Nauphys

Ordering Office

JONATHAN B. KOPALD
Notary Public, State of New York
No. 66-7, 62340
Qualified in Orange County
Commission Expires March 30, 1978

Orange County Clerk's Office, s/s
Recorded on the 24th day
of March, 1984, at 11:46
o'clock A.M. in Liber 3524
... 1144... at page 254
and Examined.

Mr. S. M. M. M.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

86-22

Date: 7/15/86

I. Applicant Information:

- (a) Bernard M Kahn 183A Bull Rd Rock Tavern 496 4355
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) Jonathan Kopald Highland Falls NY 496 4764
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Special Permit

III. Property Information:

- (a) R-4 Oak Drive New Windsor 63-8-1718A 75x150
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? NONE
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? no 6/2/86
- (e) Has property been subdivided previously? no When? -
- (f) Has property been subject of variance or special permit previously? NO When? -
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? Yes
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: NO

IV. Use Variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12 Table of Bulk Regs., Col. C, D.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>15,000</u>	<u>11,250</u>	<u>3,750</u>
Min. Lot Width <u>100</u>	<u>75</u>	<u>25</u>
Reqd. Front Yd. <u>20</u>	<u>7</u>	<u>13</u>
Reqd. Side Yd. <u>7</u>	<u>7</u>	<u>0</u>
Reqd. Rear Yd. <u>7</u>	<u>7</u>	<u>0</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

No additional area adjacent to this lot is available. Proposed construction will meet all side yard and front/rear yard requirements. Granting this variance will allow conformity to nearby properties of similar area and width.

VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Lot is wooded & we shall retain as many
border trees as possible to conform with
neighboring area.

IX. Attachments required:

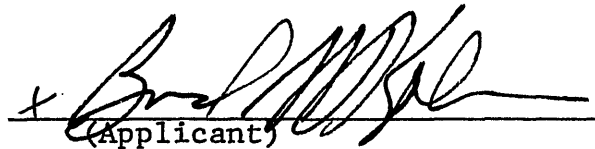
- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
☒ Copy of tax map showing adjacent properties.
☒ Copy of contract of sale, lease or franchise agreement.
☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
☒ Copy(ies) of sign(s) with dimensions.
☒ Check in the amount of \$25.00 payable to TOWN OF NEW WINDSOR.
☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 7/16/86

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.


(Applicant)

Sworn to before me this

16th day of July, 1986..

PATRICIA DELIO
NOTARY PUBLIC, State of New York
No. 5970778
Qualified in Orange County
Commission Expires March 30, 1987.

XI. ZBA Action:

(a) Public Hearing date _____.

(b) Variance is _____.

Special Permit is _____.

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 22

Request of BERNARD KAHN

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit construction of one-family residential
dwelling with insufficient lot area and lot width,
being a VARIANCE ~~SPECIAL PERMIT~~ of
Section 48-12 - Table of Bulk Regs.-Cols. C & D
for property situated as follows:

Oak Drive, Town of New Windsor known and
designated as Tax Map Section 63, Block 8,
Lots 17, 18 and 19.

SAID HEARING will take place on the 8th day of
September, 1986, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

JACK BABCOCK
Chairman

8/11/86 - Public Hearing - Kahn, Bernard #86-22.

Name: Address:

Ruth Sammons 1207 Bay 296 Oakdale NW

AHMED F. ABOUELEZZ 295 OAK DR N.W

Eric Lyndale 271 Hickory Ave

Carl Wald 265 Hickory Ave

Stephani Kiser 270 Hickory Ave

Part

**PUBLIC NOTICE OF
HEARING BEFORE ZONING
BOARD OF APPEALS
TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 22.

Request of Bernard Kahn for a VARIANCE of the regulations of the Zoning Ordinance to permit construction of a single family dwelling w/insufficient lot area and width being a VARIANCE of Section 48-12 Table of Bulk Regulations Col. C,D for property situated as follows:

on Oak Drive in Beaver Dam Lake, New Windsor, N.Y. known and designated as tax map Sec. 62, Block 8 lots 17, 18, 19.

SAID HEARING will take place on the 11th day of August, 1986, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N.Y. beginning at 7:30 o'clock P.M.

Jack Babcock
Chairman

by: Patricia Delio, Secy.

State of New York

County of Orange, ss:

Everett W. Smith, being duly sworn

disposes and says that he is

Publisher of the E.W. Smith

Publishing Company, Inc. publisher

of The Sentinel, a weekly newspaper

published and of general circulation

in the Town of New Windsor, and that

the notice of which the annexed is

a true copy was published once

in said newspaper, commencing on

the 24th day of July A.D., 1986

and ending on the 24th day of July
A.D. 1986

Everett W. Smith
Subscribed and shown to before me

this 11th day of Aug., 1986

Patricia Delio
Notary Public of the State of New York
County of Orange.

My commission expires 3/31/87

PATRICIA DELIO
NOTARY PUBLIC, State of New York
No. 5970778
Qualified in Orange County
Commission Expires March 30, 1987

TOWN OF NEW WINDSOR
ORANGE COUNTY, N. Y.
OFFICE OF ZONING - BUILDING INSPECTOR

Pat
③ Prelim.
7/14/86 -

86-22

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 6/10, 1986

To BERNARD M. Kahn
D.B.A. TALL OAKS Homes
Box 183-A Bull Rd. Tele 496-4355
Rock Tavern, New York

PLEASE TAKE NOTICE that your application dated 5/19, 1986

for permit to Build Home - Single Family

at the premises located at OAK DRIVE R-H Zone

S-62-B-8-L 17-18-19

is returned herewith and disapproved on the following grounds:

Lot AREA 15,000 Sq. Available 11,250 Sq. Ft. Needs 3,750 Var.

Lot Width 100 Sq. Ft. Available 75 Sq. Ft. Needs 25 Var.

Front yard 100 Sq. Ft. Available 75 Needs 25 Var.

John J. Ziegler, Asst. Zoning Insp.
Building Inspector

Deed says:
63-8-17 1849.

Requirements	Proposed or Available	Variance Request
Min. Lot Area 15,000	11,250	3,750
Min. Lot Width 100 ft	75 ft	25 ft
Reqd. Front Yd. 100 ft	75 ft	25 ft
Reqd. Side Yd. 1	1	0
Reqd. Rear Yd. 1	1	0

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

File No.

Date 6/10 1986

To BERNARD M. Kahn
D.B.A. TALL OAKS Homes
Box 183-A Bull Rd. Tele 496-4355
Rock Tavern, New York

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 for permit to Build Home - Single Family

at the premises located at OAK DRIVE R-H Zone

S-62-B-8-L 17-18-19

is returned herewith and disapproved on the following grounds:

Lot Area 15,000 sq. ft. Available 11,250 Sq. Ft. Needs 3,750 Var.
Lot Width 100 Sq. Ft. Available 75 Sq. Ft. Needs 25 Var.
Front Yard 100 Sq. Ft. Available 75 Needs 25 Var.

John J. Meyer Asst. Zoning Insp.
 Building Inspector

Deed says:
6-3-8-17 1899.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>15,000</u>	<u>11,250</u>	<u>3,750</u>
Min. Lot Width <u>100 ft</u>	<u>75 ft</u>	<u>25 ft</u>
Reqd. Front Yd. <u>100 ft</u>	<u>75</u>	<u>25 ft</u>
Reqd. Side Yd. <u>1</u>	<u>1</u>	<u>1</u>
Reqd. Rear Yd. <u>1</u>		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* <u>7%</u>	<u>7%</u>	<u>7%</u>
Floor Area Ratio**		<u>1.21</u>

* Residential Districts only
 ** Non-residential districts only

Name of Owner of Premises Bernard N. Kahn dba Tall Oaks Homes
Address..... Box 183A Bull Rd Rock Tavern NY Phone 496 4355
Name of Architect..... Frank Aibel
Address..... Co Rya Homes Pittsburgh PA Phone 412 276 8000
Name of Contractor Tall Oaks Homes
Address..... Box 183A Bull Rd Rock Tavern NY Phone
State whether applicant is owner, lessee, agent, architect, engineer or builder: owner + builder
If applicant is a corporation, signature of duly authorized officer.

.....
(Name and title of corporate officer)

1. On what street is property located? On the East side of Oak Drive
(N. S. E. or W.)
and feet from the intersection of.....
2. Zone or use district in which premises are situated Residential R-10
3. Tax Map description of property: Section 65-03 Block 8 Lot 17, 18, 19
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
a. Existing use and occupancy Vacant Land b. Intended use and occupancy Single Family Dwelling
5. Nature of work (check which applicable) : New Building ☒ Addition..... Alteration..... Repair..... Removal.....
Demolition..... Other.....
6. Size of lot: Front 75 Rear 75 Depth 150 Front Yard 40 Rear Yard 85 Side Yard 17 1/2
Is this a corner lot? NO.
7. Dimensions of entire new construction: Front 40 Rear 40 Depth 20 Height 38 max Number of stories 2
8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor.....
Number of bedrooms 3 Baths 2 Toilets 2
- Heating Plant: Gas..... Oil ☒ Electric...../Hot Air..... Hot Water ☒
- If Garage, number of cars 2
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....
10. Estimated cost \$55,000 Fee \$255
- (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job site, or proof of one of these inspections, it has not been approved, and it is improper to continue beyond that point

Address.....Box 183A Bull Rd Rock Tower Phone

State whether applicant is owner, lessee, agent, architect, engineer or builder: owner - b. v. k. b.
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the East side of Oak Drive
(N. S. E. or W.)

andfeet from the intersection of.....

2. Zone or use district in which premises are situated Residential R-10

3. Tax Map description of property: Section 65 Block 8 Lot 17, 18, 19

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy Vacant Land b. Intended use and occupancy Single Family Dwelling

5. Nature of work (check which applicable): New Building X Addition.....Alteration.....Repair.....Removal.....

Demolition.....Other.....

6. Size of lot: Front 75 Rear 75 Depth 150 Front Yard 40 Rear Yard 85 Side Yard 17 1/2

Is this a corner lot? NO.

7. Dimensions of entire new construction: Front 40 Rear 40 Depth 28 38 max Height 15 Number of stories 2

8. If dwelling, number of dwelling units 1 Number of dwelling units on each floor.....

Number of bedrooms 3 Baths 2 Toilets 2

Heating Plant: Gas..... Oil X Electric...../Hot Air..... Hot Water X

If Garage, number of cars 2

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use.....

10. Estimated cost \$ 65,000 Fee \$ 255 (to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

IMPORTANT

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Other inspections will be made in most cases, but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections, it has not been approved, and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-When excavating is complete and footing forms are in place (before pouring).
- 2-Foundation Inspection - check here for waterproofing and footing drains.
- 3-Inspect gravel base under concrete floors, and underslab Plumbing.
- 4-When framing is completed, and before it is covered from inside, and Plumbing rough-in.
- 5-Plumbing final & final. Have on hand Electrical Inspection Data per the Board of Fire Underwriters, and final certified plot plan. Building is to be complete at this time.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer —
Planning Board.....
Highway.....
Sewer
Water
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....5/19/86.....

INSTRUCTIONS

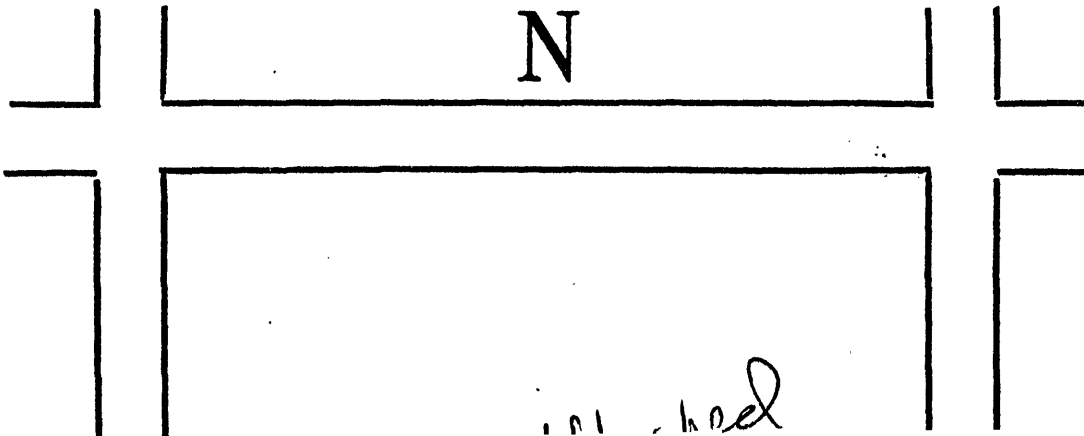
- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

.....*Ben J. M. [Signature]*.....5/19/86.....*Tall Oaks Homes*
(Signature of Applicant) (Address of Applicant) Box 183A Bull Rd. Rock Tavern, N.Y.

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

Pursuant to New York State Building Code and Town Ordinances

Date.....5/19/86.....19.....

INSTRUCTIONS

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.....*[Signature]*.....5/19/86.....*Tall Oaks Homes*
(Signature of Applicant) (Address of Applicant)
Box 183A Bull Rd. Rock Tavern, NY

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.

